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**MEMO ENDORSED**

June 4, 2020

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By ECF, Email, and Hand Delivery

The Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: *United States v. Peter Volino*, 19 Cr. 814 (VEC)**

Dear Judge Caproni:

We represent Peter Volino, the defendant in the above-referenced case. We write pursuant to Rule 3.A of Your Honor's Individual Practices in Criminal Cases to request permission to redact certain portions of the publicly-filed versions of Mr. Volino's sentencing memorandum and accompanying exhibits. The proposed redactions consist of:

- The home addresses of non-parties;<sup>1</sup>
- The personal telephone numbers and email addresses of non-parties;<sup>2</sup> and
- Information concerning the physical and mental health of non-parties.<sup>3</sup>

The government has reviewed the proposed redactions and does not object.

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<sup>1</sup> See Fed. R. Crim. P. 49.1(a).

<sup>2</sup> See *United States v. Nallani*, No. 11 Cr. 20365 (VAR), 2016 WL 4138227, at \*4 (E.D. Mich. Aug. 3, 2016) (authorizing redaction of "email addresses and phone numbers" from sentencing materials); see also *Dodona I, LLC v. Goldman, Sachs & Co.*, 119 F. Supp. 3d 152, 156 (S.D.N.Y. 2015) (authorizing redaction of telephone numbers from summary judgment materials); *Cohen v. Gerson Lehrman Grp., Inc.*, No. 09 Civ. 4352 (PKC), 2011 WL 4336679, at \*2 (S.D.N.Y. Sept. 15, 2011) (authorizing redaction of telephone numbers and email addresses from summary judgment materials).

<sup>3</sup> See *United States v. Erie Cty., N.Y.*, 763 F.3d 235, 244 n.8 (2d Cir. 2014) (approving the redaction of "medical information" from judicial documents); *United States v. King*, No. 10 Cr. 122 (JGK), 2012 WL 2196674, at \*3 (S.D.N.Y. June 15, 2012) (authorizing redactions to sentencing materials "to avoid disclosure of records containing medical information regarding the defendant's daughter and parents"); *United States v. Sattar*, 471 F. Supp. 2d 380, 388 (S.D.N.Y. 2006) (authorizing redactions to psychiatric report submitted in connection with sentencing that disclosed "highly personal family matters").

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In accordance with Your Honor's Individual Practices, highlighted versions of the unredacted materials will be sent to Chambers in electronic and hardcopy form later today. Redacted versions of these materials will be filed on ECF contemporaneously with this letter.

Respectfully submitted,  
KRIEGER KIM & LEWIN LLP

By: \_\_\_\_\_



Edward Y. Kim  
Jonathan F. Bolz

cc: All counsel of record (via ECF and email only)

Application GRANTED.

SO ORDERED.



6/5/2020

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE